



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,469	04/24/2000	Jacob Oshins	2420	8636

7590 10/28/2004
LAW OFFICES OF ALBERT S. MICHALIK, PLLC
704 - 228th AVENUE NE
SUITE 193
SAMMAMISH, WA 98074

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT PAPER NUMBER

2111

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
09/558,469	OSHINS ET AL.	
Examiner	Art Unit	
Raymond Phan	2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-23, 26, 27 and 29-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-23, 26, 27 and 33-49 is/are allowed.
- 6) ☒ Claim(s) 1-12, 14 and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2111

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on August 2, 2004.
2. This application has been examined. Claims 1-12, 14-23, 26-27, 29-49 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-12, 14, 29-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nijhawan (US NO. 6,185,677) in view of Gillespie et al. (US No. 5,751,975).

In regard to claims 1, 32, Nijhawan discloses the method for performing resource translation comprising obtaining the description of the device (see col. 7, line 45 through col. 8, line 21); determining the description of the device and providing the translation for the resource and configuring the resource based on the translator (see col. 7, line 45 through col. 8, line 21); providing a driver to the resource (see col. 4, lines 3-14). But Nijhawan does not specifically disclose the whether the cycles output by the resource requiring translation from one bus to another bus and if so, providing a translator for the resource and data indicative of a cycle to issue on one bus when a cycle is received on another bus. However

Gillespie et al. disclose the ATU 23 including an address translator 35 that translates PCI bus cycles from the primary PCI bus 7 to the local processor bus 13 and vice versa (see figure 4, col. 4, lines 58-65); data indicative of a cycle to issue on one bus when a cycle is received on another bus (see col. 7, line 25 through col. 8, line 40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the system of Gillespie et al. within the system of Nijhawan so as to provide an interface to a non-PCI compliant device to a PCI bus and so that a non-compliant PCI device may be controlled by a driver of a PCI compliant device.

In regard to claim 2, Nijhawan discloses wherein the description of the device including reading hardware information (see col. 6, line 38 through col. 7, line 33).

In regard to claim 3, Nijhawan discloses wherein the obtaining a description of the device including constructing a namespace (see col. 7, line 45 through col. 8, line 40).

In regard to claim 4, Nijhawan discloses wherein determining from the description including analyzing the namespace (see col. 7, line 45 through col. 8, line 50).

In regard to claim 5, Nijhawan discloses the device is described in accordance with ACPI (see col. 6, line 25 through col. 7, line 33) and wherein determining from the description including evaluating information in the current resources object (see col. 7, line 45 through col. 8, line 21).

In regard to claim 6, Nijhawan discloses wherein determining from the description including looking for the address translation information in the description (see col. 7, line 45 through col. 8, line 21).

In regard to claim 7, Nijhawan discloses wherein providing a translator for the resource including returning a table of functions (see col. 7, line 45 through col. 8, line 21).

In regard to claim 8, Nijhawan discloses wherein a translator for the resource including performing a translation (see col. 7, line 45 through col. 8, line 21).

In regard to claim 9, Nijhawan discloses wherein a translator for resource including return type of information (see col. 7, line 45 through col. 8, line 21).

In regard to claims 10, 31, Nijhawan discloses wherein the type information corresponds to I/O (see col. 7, line 45 through col. 8, line 21).

In regard to claim 11, Nijhawan discloses wherein the type information corresponds to memory (see col. 7, line 45 through col. 8, line 21).

In regard to claim 12, Nijhawan further discloses locating the resource (see col. 7, line 45 through col. 8, line 21).

In regard to claim 14, Nijhawan discloses enabling the resource (see col. 8, lines 12-50).

In regard to claim 29, Nijhawan discloses wherein providing a driver of the resource with data comprising a translation value (see col. 8, lines 21-50).

In regard to claim 30, Nijhawan discloses wherein the translation value comprising a memory offset (see col. 9, lines 36-45).

Allowable Subject Matter

6. Claims 15-23, 26-27, 33-49 are allowable over the prior art of records.

Response to Amendment

7. Applicant's amendment, see pages 2-5, filed on August 2, 2004, with respect to the rejection(s) of claim(s) 1-12, 14, 29-32 under 35US103 have been fully

Art Unit: 2111

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Gillespie et al.

Conclusion

8. Claims 1-12, 14, 29-32 are rejected. Claims 15-23, 26-27, 33-49 are allowed.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (571) 272-3630. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Myers can be reached on (571) 272-3639 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC2100 central telephone number is (571) 272-2100.

RP



PAUL R. MYERS
PRIMARY EXAMINER

Raymond Phan

10/25/04